

REMARKS

Claims 1-14 are amended, but no new subject matter is introduced. Claims 1-14 remain pending. Reconsideration of the pending claims is respectfully requested in light of the above amendments and the following remarks.

Claim Rejections – 35 USC § 112

Claims 4, 5, 7, and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-14 were amended, some of them substantially. It is believed that an antecedent basis problem no longer exists for claims 4 and 7. Claims 5 and 11 no longer recite the phrase that the Examiner found indefinite.

All amendments to the claims will be explained in more detail below.

Claim Rejections – 35 USC § 102

Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,612,077 issued to Tracy et al (hereafter, “Tracy”). The applicant respectfully disagrees.

Claim 1 was amended to increase its clarity and readability. All amendments to claim 1 are supported by original claim 1 and the original disclosure. Claim 1 now contains the word “perforate”, which is synonymous for “extending through.” The gas inlets 13 are shown perforating the bottom wall in FIG. 3.

Amended claim 1 recites, *inter alia*, a body having a bottom wall and a plurality of gas inlets that perforate the bottom wall. It is alleged that Tracy anticipates this feature (Office Action, page 3, paragraph 2, section i), but this is not the case.

Tracy shows in FIG. 3 a cooling plate 20 (column 2, line 58). FIG. 3 shows that cooling plate 20 contains the slot 44 (column 3, lines 10-13). It is apparent from FIG. 3 that the capillary tubes 50, 52, 54, 56, 58, and 60 extend only partway into the slot 44 (column 3, lines 19-21). None of the capillary tubes (the alleged gas inlets) perforate the cooling plate 20 (the alleged bottom wall) as required by claim 1. Consequently, according to MPEP 2131, Tracy does not anticipate claim 1 because it does not teach each and every element of claim 1.

Furthermore, claim 1 also recites an injection plate attached to a bottom surface of the body, the injection plate having grooves on an upper surface. Since the injection plate is attached to a bottom surface of the body, it is apparent that the upper surface of the injection plate is facing the bottom surface of the body. It is alleged that Tracy discloses grooves (34,

36, 38) and an injection plate (12) in FIGS. 2 and 3, but it is obvious from FIG. 3 that these alleged grooves are not on an upper surface of the injection plate (column 3, lines 19-26). Consequently, according to MPEP 2131, Tracy does not anticipate claim 1 because it does not teach each and every element of claim 1.

Claims 2-6 inherently contain the limitations of claim 1. Consequently, according to MPEP 2131, Tracy does not anticipate claims 2-6 because it does not teach each and every element of claims 2-6.

Claim 2 was amended to correct a lack of antecedent basis.

Amended claim 3 recites that the body additionally comprises a plurality of gas inlet extensions that are integral to the bottom wall such that the gas inlets protrude upwardly from the bottom wall. This amendment is supported by original claim 3, FIG. 3, and on page 4, line 22 to page 5, line 2. Tracy does not disclose this feature, so Tracy does not anticipate claim 3 under MPEP 2131 for this additional reason.

Claim 4 was amended to correct a lack of antecedent basis.

Claim 5 was amended to recite a feature that originally appeared in claim 1.

Claim 6 was amended to increase its clarity.

Claim 7 was amended to increase its clarity and readability. All amendments to claim 7 are supported by original claim 7 and the original disclosure. Amended claim 7 now recites the feature of a body having a plurality of gas inlets that perforate the body. The gas inlets are shown perforating the body in FIG. 3.

As explained above with respect to claim 1, Tracy does not disclose a body having a plurality of gas inlets that perforate the body, nor does Tracy disclose an injection plate with grooves on an upper surface that is attached to a bottom surface of the body. Consequently, under MPEP 2131, Tracy does not anticipate claim 7 for the same reasons as claim 1.

Claims 8-14 inherently contain the limitations of claim 7. Consequently, according to MPEP 2131, Tracy does not anticipate claims 8-14 because it does not teach each and every element of claims 8-14.

Claim 8 was amended to improve its clarity and correct a lack of antecedent basis.

Amended claim 9 recites that the body additionally comprises a plurality of gas inlet extensions that are integral to the body such that the gas inlets protrude upwardly from the body. This amendment is supported by original claim 9, FIG. 3, and on page 4, line 22 to page 5, line 2. Tracy does not disclose this feature, so Tracy does not anticipate claim 9 under MPEP 2131 for this additional reason.

Claim 10 was amended to improve its clarity and correct a lack of antecedent basis.

Claim 11 was amended to recite a feature that originally appeared in claim 7.

Claim 12 was amended to improve its clarity.

Claim 13 was amended to improve its clarity.

Claim Rejections – 35 USC § 103

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tracy in view of U.S. Patent No. 5,423,936 issued to Tomita (hereafter, "Tomita"). The applicant respectfully disagrees.

Claim 14 inherently contains the features of claims 7 and 13. It was previously explained with respect to claim 7 that Tracy does not teach the feature of a plurality of gas inlets that perforate the body. It was also explained how Tracy does not teach the feature of an injection plate attached to a bottom surface of the body with grooves on an upper surface. Tomita is not alleged to teach or disclose this feature. Thus, the Tracy/Tomita combination does not establish a *prima facie* case of obviousness under MPEP 2143.03 because they do not teach or suggest all the claim features.

Conclusion

For the foregoing reasons, reconsideration and allowance of claims 1-14 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Alan T. McCollom', is written over a horizontal line.

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